

Serial No. 10/784,549

REMARKS

Claims 48-69 are pending in this application. Claims 48 and 66 are the independent claims.

Claims 48-69 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Shapovalov et al. (U.S. Patent No. 6,563,080) in view of Freedenburg et al. (U.S. Patent No. 5,620,618) and Weerasinghe et al., GB 2244851. These rejections are hereby traversed for the following reasons.

In accordance with the present invention, a method is provided for manufacturing a medical device from a workpiece. The method begins by generating a beam of radiation from a radiation source. The radiation beam is directed onto the workpiece by scanning the radiation beam so that a prescribed pattern is cut in the workpiece. A conical mirror is positioned along an optical path between the radiation source and the workpiece. The conical mirror has an apex with an aperture therethrough that is traversed by a longitudinal axis of the workpiece.

As the Examiner recognizes, neither Shapovalov et al. nor Freedenburg et al. show a conical mirror in the optical path, nor an conical mirror having an apex with an aperture therethrough that is traversed by a longitudinal axis of the workpiece. The Examiner asserts that these claimed features are shown in Weerasinghe et al.

Weerasinghe et al. relates to a laser resonator that incorporates a conical mirror to condition (e.g., circularly polarize) the laser beam that is output from the laser resonator. In other words, if the conical mirror were to be located in the arrangement shown in FIG. 2 of the present application, it would be located in the laser source 104. Clearly, since the conical mirror is located in the laser source, the workpiece does not, and cannot, traverse an aperture through the mirror.

Moreover, Weerasinghe et al. would have no reason to position the workpiece so that it extends through an aperture in the conical mirror. Weerasinghe et al. uses the conical mirror to condition the laser beam within the laser resonator so that the laser beam is suitable for cutting, scribing and drilling. Weerasinghe et al. does not employ the conical mirror to redirect the radiation beam so that it is scanned about a circumference of the workpiece, as in the present invention. That is, the conical mirror and the workpiece are positioned in the manner claimed only because the present invention uses

Serial No. 10/784,549

the conical mirror for the purpose of scanning the beam about a circumference of the workpiece.

Accordingly, since neither Weerasinghe et al., nor any of the other references cited by the Examiner, show or suggest a *conical mirror has an apex with an aperture therethrough that is traversed by a longitudinal axis of the workpiece*, as set forth in claim 1 of the present application, claim 1 and the claims that depend therefrom are believed to be patentable over the cited references.

Independent claim 66 is believed to be patentable because none of the references, alone or in combination, show or suggest the claimed step of *redirecting the radiation beam so that it is scanned about a circumference of the tubular workpiece without rotation of the tubular workpiece*. In one particular embodiment of the present invention, discussed above in connection with claim 1, this step is performed by a conical mirror having an aperture through which the workpiece passes. As noted above, the conical mirror shown in Weerasinghe et al. does not perform this step. Nor are there any other components in Weerasinghe et al. or the other references that perform this step. Accordingly, for at least this reason, claim 66 of the present application and the claims that depend therefrom are believed to be patentable over the cited references.

Conclusion

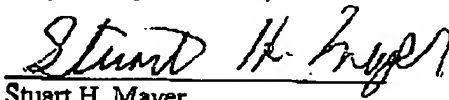
In view of the foregoing, it is believed that the application is now in condition for allowance, and early passage of this case to issue is respectfully requested. If the Examiner believes there are still unresolved issues, a telephone call to the undersigned would be welcomed.

Serial No. 10/784,549

RECEIVED
CENTRAL FAX CENTER
DEC 17 2007Fees

The one month extension fee (\$120) and any additional fees due as a result of this Response may be charged to the undersigned attorney's PTO Deposit Account number 50-1047.

Respectfully submitted,


Stuart H. Mayer
Registration No. 35,277

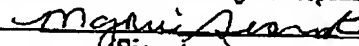
Attorney for Applicants
Mayer & Williams PC
251 North Avenue West, 2nd Floor
Westfield, NJ 07090
(908) 518-7700 Tel.
(908) 518-7795 Fax

Certificate of Facsimile Transmission

I hereby certify that this correspondence and any document referenced herein is being sent to the United States Patent and Trademark office via Facsimile to: 571-273-8300 on 12/17/07.

Marjorie Scariati

(Printed Name of Person Sending Correspondence)


(Signature)